

LA WORKERS' COMPENSATION SECOND INJURY BOARD

Meeting of March 7, 2013

The regular meeting of the Second Injury Board convened at 2:05p.m.

The following were present:

Mr. Charles Hansberry, representing Commission of Insurance, Chairman

Ms. Lynette Mack, representing State Treasurer

Mr. Steve Hawkland, representing Secretary of State

Mr. Wes Hataway, OWCA/Director

Mr. Jimmy Edwards, representing Steve Lang Timber Co./Louisiana Loggers SIF

Ms. Jenny McIn, representing Hoover Tree Experts/Louisiana Construction Industry

Curt Landry, representing Hoover Tree Experts/Louisiana Construction Industry

Mr. Michael Taffaro, representing LaCroix Trucking/ Bridgefield Casualty Insurance Company

Pauline Williams, SIB Director

Michelle Sumrall, Compliance Supervisor

Meridith Trahant, General Counsel

Will Green, General Counsel

Karl Scott, General Counsel

Megan Potter, SIB Administrative Assistant

Mr. Hansberry, Chairman, called the meeting to order and asked for Ms. Potter to read the minutes of the previous meeting, the first item on the agenda. Mr. Hawkland moved to dispense with the reading of the minutes and approve the minutes as printed and distributed. The motion was seconded by Mr. Hataway and passed unanimously.

The Chairman called for the second item, being hearings on pending claims on the March 7, 2013 agenda. Hearing #1 Claim #10-0052 LaCroix Trucking, Inc., and Bridgefield Casualty Insurance Company represented by Michael Taffaro whom presented his case. Ms. Michelle Sumrall, SIB Program Compliance Officer Supervisor reviewed the basis of this claim to the board and recommended that the claim be denied. Mr. Hataway made a motion to accept the recommendation of Ms. Sumrall. The motion was seconded by Mr. Hawkland and passed unanimously.

Hearing #2 Claim #11-0744 Steve Lang Timber Company, Inc., and Louisiana Loggers SIF represented by Jimmy Edwards whom presented his case. Ms. Michelle Sumrall, SIB Program Compliance Officer Supervisor reviewed the basis of this claim to the board and recommended that the claim be denied. Mr. Hawkland made a motion to accept the recommendation that the claim be denied. The motion was seconded by Ms. Mack and passed unanimously.

Hearing #3 Claim #11-0971 Michael Mayzel Logging and Louisiana Loggers SIF represented by Jimmy Edwards. Ms. Sumrall recommended that the claim be approved. Mr. Hawkland made a motion to accept the recommendation that the claim be approved. The motion was seconded by Ms. Mack and passed unanimously.

Hearing #4 Hoover Tree Experts and Louisiana Construction & Industry represented by Jenny McIn whom presented her case. Ms. Michelle Sumrall, SIB Program Compliance Officer Supervisor reviewed the basis of this claim to the board and recommended that the claim be denied. Mr. Hawkland made a motion to accept the recommendation that the claim be denied. The motion was seconded by Mr. Hataway and passed unanimously.

The Chairman moved to Item 3 of the agenda. Being the recommendation of Ms. Williams to approve reimbursement on the following claims; filed number 1 thru 12 beginning with Claim #11-0393 and ending with Claim #12-1066; excluding all postponed claims: Claim #11-0393 and Claim #12-0641. Mr. Hawkland moved to accept the recommendation of the Director and approve reimbursement of these claims. The motion was seconded by Ms. Mack and passed unanimously.

1.	LUBA Casualty Insurance Company	Postponed	#11-0393	104 weeks ded.
2.	Louisiana Retailers Mutual Insurance Co.		#11-0709	104 weeks ded.
3.	Louisiana Health Care SIF		#11-0884	104 weeks ded.
4.	Louisiana Home Builders Association SIF		#12-0164	104 weeks ded.
5.	City of New Orleans		#12-0203	104 weeks ded.
6.	Jefferson Parish		#12-0477	104 weeks ded.
7.	Louisiana Workers' Compensation Corporation		#12-0632	104 weeks ded.
8.	Not Documented	Postponed	#12-0641	104 weeks ded.
9.	Louisiana Home Builders Association		#12-0851	104 weeks ded.
10.	Louisiana Workers' Compensation Corporation		#12-1020	104 weeks ded.
11.	LA Safety Association of Timbermen		#12-1056	104 weeks ded.
12.	LA Safety Association of Timbermen		#12-1066	104 weeks ded.

The Chairman moved to the fourth item, being the recommendation of the director to deny for reimbursement the following claims: files were numbered 1 through 120 beginning with Claim #10-0349 and ending with Claim #12-1060. Ms. Mack moved to accept the recommendation of the director to deny these claims. The motion was seconded by Mr. Hawkland and passed unanimously.

1.	Louisiana Retailers Mutual Insurance Company	#10-0349
2.	Louisiana Workers' Compensation Corporation	#11-0117
3.	Louisiana Workers' Compensation Corporation	#11-0135
4.	Louisiana Workers' Compensation Corporation	#11-0162
5.	Louisiana Workers' Compensation Corporation	#11-0198
6.	Louisiana Retailers Mutual Insurance Company	#11-0415
7.	City of New Orleans	#11-0510
8.	Bridgefield Casualty Insurance Company	#11-0613
9.	Bridgefield Casualty Insurance Company	#11-0616
10.	Louisiana Loggers SIF	#11-0774
11.	Louisiana Workers' Compensation Corporation	#11-0806
12.	Seabright Insurance Company	#11-0813
13.	Louisiana Workers' Compensation Corporation	#11-0831
14.	American Interstate Insurance Company	#11-0902

15.	Bridgefield Casualty Insurance Company	#11-0965
16.	LWCC	#12-0012
17.	Louisiana Health Care SIF	#12-0019
18.	Louisiana Office of Risk Management	#12-0029
19.	Not documented	#12-0041
20.	LEMIC Insurance Company	#12-0050
21.	Not documented	#12-0053
22.	LWCC	#12-0058
23.	Louisiana Commerce & Trade Association	#12-0074
24.	American Interstate Insurance Company	#12-0110
25.	Diocese of Alexandria	#12-0138
26.	American Interstate Insurance Company	#12-0140
27.	Not documented	#12-0143
28.	Not documented	#12-0146
29.	Louisiana Workers' Compensation Corporation	#12-0153
30.	Indemnity Insurance Company of N. America	#12-0155
31.	LEMIC Insurance Company	#12-0173
32.	Zurich American Insurance Company	#12-0185
33.	Louisiana Commerce & Trade Association	#12-0201
34.	Bridgefield Casualty Insurance Company	#12-0215
35.	Louisiana Office of Risk Management	#12-0230
36.	Trinity Universal Insurance Group	#12-0233
37.	LEMIC Insurance Company	#12-0236
38.	LUBA Casualty Insurance Company	#12-0245
39.	East Jefferson General Hospital	#12-0248
40.	Louisiana Commerce & Trade Association	#12-0251
41.	Louisiana Workers' Compensation Corporation	#12-0263
42.	Louisiana Office of Risk Management	#12-0305
43.	Lafayette Parish Sheriff's Office	#12-0323
44.	Zurich American Insurance Company	#12-0341
45.	LEMIC Insurance Company	#12-0398
46.	St. Tammany Parish School Board	#12-0408
47.	Ace American Insurance Company	#12-0419
48.	Zurich American Insurance Company	#12-0431
49.	Old Republic Insurance Company	#12-0439
50.	Not documented	#12-0441
51.	Louisiana Workers' Compensation Corporation	#12-0464
52.	Louisiana Workers' Compensation Corporation	#12-0468
53.	Louisiana Retailers Mutual Insurance Company	#12-0492
54.	Louisiana Retailers Mutual Insurance Company	#12-0494
55.	Parish Government Risk Management Agency	#12-0495
56.	Louisiana Office of Risk Management	#12-0498
57.	City of New Orleans	#12-0500
58.	Louisiana Workers' Compensation Corporation	#12-0505
59.	Louisiana Workers' Compensation Corporation	#12-0506
60.	Louisiana Workers' Compensation Corporation	#12-0509
61.	Louisiana Commerce & Trade Association	#12-0517
62.	LEMIC Insurance Company	#12-0521

63.	Illinois Nation Insurance Company	#12-0522
64.	Twin City Fire Insurance Company	#12-0528
65.	Not documented	#12-0531
66.	Bridgefield Casualty Insurance Company	#12-0533
67.	Louisiana Workers' Compensation Corporation	#12-0534
68.	Louisiana Workers' Compensation Corporation	#12-0536
69.	Ace American Insurance Company	#12-0539
70.	Bridgefield Casualty Insurance Company	#12-0542
71.	Not documented	#12-0551
72.	Louisiana Office of Risk Management	#12-0554
73.	Bridgefield Casualty Insurance Company	#12-0557
74.	Jefferson Parish School Board	#12-0562
75.	Not documented	#12-0563
76.	LUBA Casualty Insurance Company	#12-0564
77.	Louisiana Commerce & Trade Association	#12-0574
78.	Louisiana Workers' Compensation Corporation	#12-0575
79.	LUBA Casualty Insurance Company	#12-0578
80.	Louisiana Office of Risk Management	#12-0580
81.	Ace American Insurance Company	#12-0581
82.	Louisiana Health Care SIF	#12-0586
83.	Bridgefield Casualty Insurance Company	#12-0587
84.	Louisiana Workers' Compensation Corporation	#12-0596
85.	Insurance Company of the State of PA	#12-0598
86.	New Hampshire Insurance Company	#12-0607
87.	Lafayette Parish School Board	#12-0631
88.	Not documented	#12-0633
89.	Lafayette Parish School Board	#12-0634
90.	AT&T Corporation	#12-0643
91.	Louisiana Workers' Compensation Corporation	#12-0649
92.	LEMIC Insurance Company	#12-0653
93.	LEMIC Insurance Company	#12-0655
94.	Insurance Company of the State of PA	#12-0656
95.	Bridgefield Casualty Insurance Company	#12-0670
96.	Not documented	#12-0673
97.	Old Republic Insurance Company	#12-0688
98.	Not documented	#12-0691
99.	Autozone, Inc.	#12-0694
100.	Louisiana Workers' Compensation Corporation	#12-0700
101.	Bridgefield Casualty Insurance Company	#12-0712
102.	Plaquemine's Parish Sheriff's Office	#12-0715
103.	LUBA Casualty Insurance Company	#12-0720
104.	LUBA Casualty Insurance Company	#12-0727
105.	LUBA Casualty Insurance Company	#12-0773
106.	Lafayette Parish Sheriff's Office	#12-0776
107.	LA Auto Dealers Association	#12-0785
108.	Indemnity Insurance Company of N. America	#12-0831
109.	LUBA Casualty Insurance Company	#12-0835
110.	Louisiana Municipal Risk Management Agency	#12-0861

111. New Hampshire Insurance Company	#12-0887
112. Autozone, Inc.	#12-0915
113. City of Baton Rouge	#12-0924
114. Not documented	#12-0937
115. American Casualty of Reading, PA	#12-0944
116. Louisiana Commerce & Trade Association	#12-0957
117. City of New Orleans	#12-0967
118. St. Charles Parish School Board	#12-1019
119. Legion Insurance Company	#12-1025
120. Louisiana Safety Association of Timbermen	#12-1060

The Chairman moved to the fifth item, being the recommendation of the Director to approve reimbursement of the partial payments beginning with Claim #04-0754 Ace American Insurance Company and ending with Claim #07-0033 Louisiana Commerce & Trade. Mr. Hawkland moved to accept the recommendation of the Director and approve reimbursement of the partial payments (214) as submitted on the agenda of March 7, 2013. The motion was seconded by Ms. Mack and passed unanimously.

The Chairman moved to the sixth item on the agenda, being approval of quarterly payments due beginning with Claim #00-0145 Louisiana Office of Risk Management and ending with Claim #98-1277 Bellsouth Telecommunications. Ms. Mack moved to accept the recommendation of the director and approve reimbursement of quarterly payments (77) as submitted on the agenda of March 7, 2013. The motion was seconded by Mr. Hawkland and passed unanimously.

The Chairman then moved to Item #7 of the agenda, public comment. There being no one present from the public, the Chairman moved to go into Executive Session to discuss Second Injury Board litigation and settlements. Mr. Hawkland moved to accept the recommendation. The motion was seconded by Ms. Mack and passed unanimously.

Upon returning from Executive Session, the Chairman made a motion to move out of Executive Session and back to regular session.

The Chairman then made a motion to review of settlements to be paid as discussed and to extend settlement authority as recommended by the Director and discussed in Executive Session to be paid on quarterly basis excluding claim #09-0734 and Claim #06-0225. Claim #00-0851 and Claim #10-0304 are to be paid indemnity only.

- Claim #99-0050
- Claim #00-0851
- Claim #00-1224
- Claim #01-1190
- Claim #05-0869
- Claim #06-0191
- Claim #06-0225
- Claim #06-0393
- Claim #07-0033

Claim #07-0073
Claim #07-0254
Claim #07-0851
Claim #08-0027
Claim #08-0295
Claim #08-0427
Claim #08-0483
Claim #08-0628
Claim #09-0540
Claim #09-0734
Claim #09-0834
Claim #10-0061
Claim #10-0185
Claim #10-0201
Claim #10-0293
Claim #10-0304
Claim #10-0395
Claim #10-0397
Claim #10-0505
Claim #10-0552
Claim #10-0708
Claim #10-0759
Claim #10-0843
Claim #10-0976
Claim #11-0285
Claim #11-0697
Claim #12-0446

Mr. Hawkland moved to accept the recommendation. The motion was seconded by Ms. Mack and passed unanimously.

On Item 8 B of the agenda, Second Injury Board litigation; The Chairman made a motion to accept the recommendation of the Director and pay the claims as follows:

Claim #11-0921; recommended by General Council to continue litigation
Claim #06-0298; recommended by General Council to continue litigation.
Claim #07-0752; recommended by General Council to continue litigation.
Claim #08-0887; recommended by General Council to continue litigation.
Claim #11-0985; recommended by General Council for settlement authority.
Claim #09-0706; recommended by General Council for settlement authority.
Claim #10-0374; recommended by General Council to continue litigation.
Claim #11-0272; recommended by General Council to continue litigation.
Claim #11-0890; recommended by General Council to continue litigation.
Claim #12-0324; recommended by General Council to continue litigation
Claim #10-0978; recommended by General Council to continue litigation.
Claim #11-0838; recommended by General Council to continue litigation.
Claim #06-0730; recommended by General Council for settlement authority.
Claim #08-0303; recommended by General Council for settlement authority.

Minutes (cont'd)

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Claim #07-0154; recommended by General Council to continue litigation.

Mr. Hawkland moved to accept the recommendation. The motion was seconded by Ms. Mack and passed unanimously.

On Item 9 of the agenda, any other matters requiring attention; LRS Presentation was postponed.

There being no further business to discuss, the Chairman moved to adjourn. Mr. Hawkland moved to accept the chairman's recommendation. The motion was seconded by Ms. Mack and passed unanimously.

The meeting was adjourned at 3:47 p.m.

Recording Secretary: Megan Potter